

# EXHIBIT 28

LONNIE THOMPSON  
5/4/2021

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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

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HUNTERS CAPITAL, LLC, et al., )  
  )  
Plaintiffs,                         )  
  )  
vs.                                    )    No. 20-cv-00983-TSZ  
  )  
CITY OF SEATTLE,                    )  
  )  
Defendant.                         )

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Zoom 30(b)6 Video Deposition Upon Oral Examination  
of  
LONNIE THOMPSON

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DATE: Tuesday, May 4, 2021

REPORTED BY: Mindy L. Suurs, CSR No. 2195

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1 MR. WEAVER: So you need to save it as 1.

2 Again, this is Tyler Weaver just assisting with  
3 the tech of getting it open.

4 A. I got the -- I see the map.

5 BY MS. PRATT:

6 Q. Great. And do you recognize this as a map of the  
7 Capitol Hill area where your business, Bergman's Lock and  
8 Key Services, is located?

9 A. Yes, that is it.

10 Q. So on this map we've labeled Cal Anderson Park.  
11 Is that correctly labeled to your understanding?

12 A. Yes, it is.

13 Q. And we have also labeled the surrounding streets.  
14 Are those correct to your understanding?

15 A. Yes.

16 Q. Great. And then with a red dot and a black text  
17 box, we have identified your business, Bergman's Lock and  
18 Key Services. Is it correctly located on this map?

19 A. Yes, it is.

20 Q. So you can go ahead and minimize or exit out of  
21 that exhibit. I don't intend to use it again anytime soon.  
22 Let me know when you're ready.

23 A. I'm ready.

24 Q. Great. Do you rent or do you own the storefront  
25 at 1714 12th Avenue on Capitol Hill?

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1 A. The storefront is rented.

2 Q. Who do you rent from?

3 A. It changed hands. It was purchased last year. I  
4 do not remember the name of the company at this moment.

5 Q. Okay. Can you tell me why you chose to rent in  
6 that location?

7 A. I did not choose to rent in that location, the  
8 previous owner did, and they have been at that location for  
9 26 years.

10 Q. And in the 13 years that you have owned  
11 Bergman's, did you have any opportunity to move the  
12 business?

13 A. No.

14 MR. WEAVER: Objection, vague.

15 BY MS. PRATT:

16 Q. Were you under a lease the entire 13 years that  
17 you've owned Bergman's?

18 A. No.

19 Q. So you could have moved the business had you  
20 chosen to; is that right?

21 MR. WEAVER: Same objection. You can answer.

22 A. Yes.

23 BY MS. PRATT:

24 Q. And why did you choose not to move?

25 A. Because the business has been established at the

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1 to your storefront. Was the road in front of you -- 12th,  
2 I believe; correct?

3 A. Correct.

4 Q. Was 12th in front of your storefront blocked off  
5 to traffic?

6 A. At Olive, yes, would be about 50 yards south of  
7 our door.

8 Q. But it was not blocked off in front of your door;  
9 is that right?

10 A. No, it was not.

11 Q. And that's why those service tech vehicles could  
12 have driven in front of the building if you had chosen  
13 that -- you know, to ask them to do that; right?

14 A. Yes.

15 Q. So you said the street was blocked off at 12th  
16 and Olive. When was that blocked off?

17 A. It would be after June 8th. That's to my best of  
18 knowledge.

19 Q. What was it blocked by?

20 A. The concrete barricades.

21 Q. And is your memory that there's concrete  
22 barricades were there through the time when the park was  
23 cleared out on June 30th, or July 1st, excuse me?

24 A. Yeah.

25 Q. Are you aware of any other areas where the road

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1       I, Mindy L. Suurs, the undersigned Certified Court  
2       Reporter, pursuant to RCW 5.28.010, authorized to  
3       administer oaths and affirmations in and for the State of  
4       Washington, do hereby certify:

5       That the foregoing testimony of LONNIE THOMPSON  
6       was given before me at the time and place stated therein  
7       and thereafter was transcribed under my direction;

8       That the sworn testimony and/or proceedings were by me  
9       stenographically recorded and transcribed under my  
10      supervision, to the best of my ability;

11      That the foregoing transcript contains a full, true,  
12      and accurate record of all the sworn testimony and/or  
13      proceedings given and occurring at the time and place  
14      stated in the transcript;

15      That the witness, before examination, was by me duly  
16      sworn to testify the truth, the whole truth, and nothing  
17      but the truth;

18      That I am not a relative, employee, attorney, or  
19      counsel of any party to this action or relative or employee  
20      of any such attorney or counsel and that I am not  
21      financially interested in the said action or the outcome  
22      thereof;

23      DATE: May 6, 2021

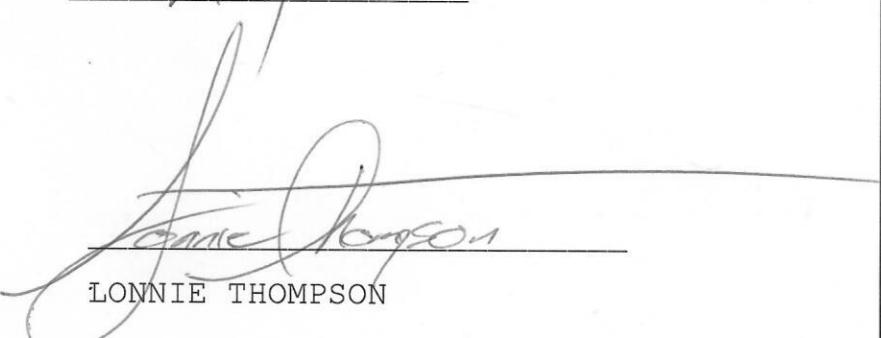
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25  
  
Mindy L. Suurs  
Mindy L. Suurs  
Certified Court Reporter #2195

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1 I declare that I have read my within deposition,  
2 taken on Tuesday, May 4, ~~2016~~<sup>2021</sup>, and the same is true and  
3 correct save and except for changes and/or corrections, if  
4 any, as indicated by me on the "CORRECTIONS" flyleaf page  
5 hereof.

6 Signed in Seattle, Washington,  
7 this 17<sup>th</sup> day of May, ~~2016~~ 2021

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11   
12 LONNIE THOMPSON  
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24 REPORTER'S CERTIFICATE  
25

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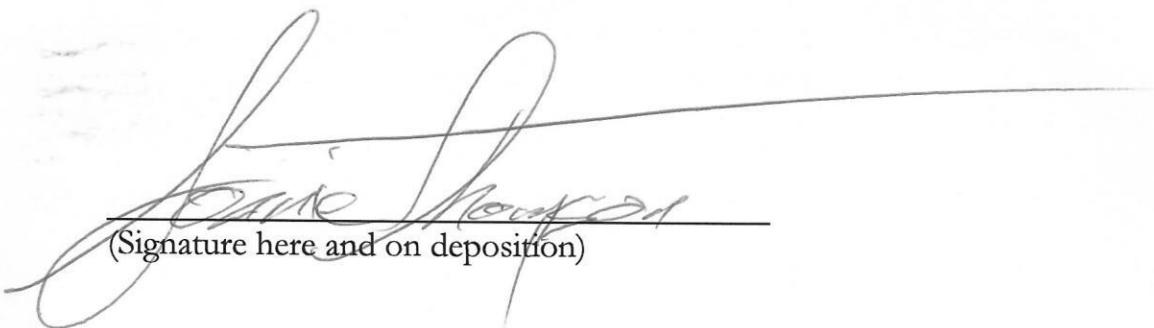


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Please record any changes or corrections on this sheet, indicating page number, line number, and reason for the change.

Page Line

Correction and Reason

  
(Signature here and on deposition)